

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

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INTELLECTUAL PROPERTY LAW  
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Deliver to: Nguyen, T. Art Group: 2684  
Company Name: USPTO  
Facsimile No.: 703-872-9306 Date: \_\_\_\_\_  
From: Gordon R. Lindeen III, Reg. No. 33,192  
Our Docket No.: 15685P107 Number of pages \_\_\_\_\_ including this sheet.  
Application: 09/996,633 Filing Date: 11/28/2001

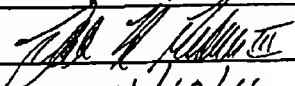
SubjectRemarks


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If you do not receive all the pages, or if there is any difficulty in receiving, please call: (303) 740-1980 and ask for April Plepenburg.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/996,633
		Filing Date	November 28, 2001
		First Named Inventor	Athanasios A. Kasapi
		Art Unit	2684
		Examiner Name	Nguyen, T.
Total Number of Pages In This Submission	15	Attorney Docket Number	15685P107

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gordon R. Lindeen III, Reg. No. 33,192 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	11/10/04

CERTIFICATE OF MAILING/TRANSMISSION		
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.		
Typed or printed name	April Piepenburg	
Signature		Date 11/10/04

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 08/04/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$) 0.00

**Complete if Known**

Application Number	09/996,633
Filing Date	November 28, 2001
First Named Inventor	Athanasios A. Kasapi
Examiner Name	Nguyen, T.
Art Unit	2684
Attorney Docket No.	15685PI07

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

 Deposit Account Number **02-2666**

 Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☐ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION**
**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	780	2001	395	Utility filing fee	
1002	360	2002	175	Design filing fee	
1003	660	2003	275	Plant filing fee	
1004	700	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

**2. EXTRA CLAIM FEES**

Total Claims	36	36*	0	18.00	\$0.00
Independent Claims	6	6*	0	88.00	\$0.00
Multiple Dependent					

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple Dependent claim, if not paid	
1204	88	2204	44	**Reissue Independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)**
**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	55	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	785	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1404	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	650	2503	330	Plant issue fee	
1460	130	2450	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify):

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)

**SUBMITTED BY**

 Name (Print/Type) **Gordon R. Lindeen III**

 Registration No. (Attorney/Agent) **33,192**

 Telephone **(303) 740-1980**

Signature



 Date **11/10/04**

 Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 02/10/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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## Complete if Known

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Filing Date	November 28, 2001
First Named Inventor	Athanasios A. Kasapi
Examiner Name	Nguyen, T.
Art Unit	2684
Attorney Docket No.	15685P107

## METHOD OF PAYMENT (check all that apply)

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☒ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor &amp; Zafman LLP

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## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

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Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type) Gordon R. Lindeen III

Registration No. (Attorney/Agent)

33,192

Telephone

(303) 740-1980

Signature

Date

11/16/04

 Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/02/10/2004).  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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NOV 10 2004

Our Docket No: 015685.P107

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kasapi, A.

Examiner: Nguyen, T.

Application No: 09/996,633

Art Unit: 2684

Filed: November 28, 2001

For: Variable Diversity Transmission in a  
Radio Communications System  
Based on Characteristics of a Received  
Signal

## RESPONSE TO OFFICE ACTION

Mail Stop Amendment  
Commissioner for Patents  
P.O Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 11, 2004, Applicant respectfully requests the Examiner to enter the following amendment and to consider the following remark.

Attorney Docket No. 015685.P107  
Application No. 09/996,633

1